

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

TIFFANY WALKER, ET AL.

PLAINTIFFS

v.

CIVIL ACTION NO. 5:06cv00030-DCB-JMR

**SMITTY'S SUPPLY, INC. A
FOREIGN CORPORATION AND
CLIFTON L. BONDS**

DEFENDANT

AGREED ORDER AS TO PENDING MOTION [DOCKET NO. 101]

The Court, having been advised that the Defendants have filed a Renewed Motion to Strike Plaintiffs' Expert Designation or, alternatively, Motion for Modification of Scheduling Order and for Continuance of Trial [Docket No. 101] and having been advised that the parties have agreed to resolve the pending motion as set forth in this order, hereby ORDERS as follows:

(1) the Defendants' motion [Docket No. 101] is hereby granted to the extent it seeks to strike Plaintiffs' experts, except that G. Richard Thompson, Ph. D., Plaintiffs' economist, is not stricken; (2) with the exception of Dr. Thompson, all of Plaintiffs' experts are hereby stricken and will not be permitted to testify at trial; (3) Plaintiffs shall provide all Rule 26 information for Dr. Thompson by February 11, 2008, or Defendants may renew their motion as to Dr. Thompson; (4) Defendants will have until March 3, 2008 to electronically file all Rule 26 information for any economist they may call at trial in order to rebut the opinions of Dr. Thompson; and (5) to the extent Defendants' motion [Docket No. 101] seeks any additional relief not addressed by this order, the motion is denied. It is further ordered that nothing in this order shall be construed as barring the Defendants from filing a Daubert motion to challenge the opinions of Dr. Thompson in whole or in part.

SO ORDERED THIS 4th DAY OF February, 2008.

s/ David Bramlette
DAVID BRAMLETTE
SENIOR JUDGE

AGREED TO BY:

/s/Edwin L. Bean, Jr.
EDWIN L. BEAN, JR.

/s/C. Wayne Dowdy
C. WAYNE DOWDY

/s/William S. Guy
WILLIAM S. GUY
ATTORNEYS FOR PLAINTIFFS

/s/Richard M. Dye
Richard M. Dye
Willie Abston
ATTORNEYS FOR DEFENDANTS